



MEMO ENDORSED

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 15, 2019

By ECF

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: United States v. Tyrell Rock, 11 Cr. 500 (KMK); 16 Civ. 4214 (KMK)

Dear Judge Karas:

The Government is writing in connection with the defendant's October 29, 2019 letter, requesting the vacatur of his conviction in light of the Supreme Court's decision in United States v. Davis, 139 S.Ct. 2319 (2019), and the Second Circuit's decision in United States v. Barrett, 937 F.3d 126 (2d Cir. 2019). Both parties agree that Davis applies to Rock's conviction.

The parties are in the process of conferring to determine if an agreement can be reached about how to proceed in this case. Accordingly, the parties are jointly, respectfully requesting 30 additional days to continue that process. The additional time will allow defense counsel time to meet with Mr. Rock, among other things. Thank you for your consideration of this matter.

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

Granted.

So ordered.

AK MC
11/18/19

by: /s/ Sarah Krissoff
Sarah Krissoff
Assistant United States Attorney
(212) 637-2232

cc: Darrell Fields, Esq. (via ECF)